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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) CASE NO. 4:21-MJ-71943 MAG
14 Plaintiff,)
15 v.) STIPULATION AND ORDER
16 LARRY CANDIES,) CONTINUING HEARING AND
17 Defendant.) EXCLUDING TIME UNDER THE SPEEDY
18) TRIAL ACT AND EXTENDING THE
19) TIME LIMITS UNDER FRCP RULE 5.1
20) Current Date: January 5, 2022 at 10:00 A.M.
21) Proposed Date: January 11, 2022 at 10:00 A.M.
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The defendant is currently scheduled to appear before the Court on January 5, 2022, at 10:00 a.m., for detention hearing, and status on preliminary hearing or arraignment. The government has produced discovery materials in anticipation of the detention hearing, and defense counsel needs additional time to review the discovery materials and to confer with the defendant. The defendant's housing unit is currently quarantined, and defense counsel was not able to schedule a video visit with the defendant in advance of the hearing until January 7, 2022. The parties are therefore requesting that the detention hearing and status regarding preliminary hearing or arraignment be rescheduled to January 11, 2022, at 10:00 A.M. to allow for the effective preparation of counsel.

The parties are further requesting that the time between January 5, 2022, and January 11, 2022,

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1 be excluded from the speedy trial clock. The parties agree that the additional time is necessary for
2 effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of
3 justice served by granting the continuance outweigh the best interest of the public and the defendant in a
4 speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

5 The parties further submit that good cause exists for extending the time limits for preliminary
6 hearing under Federal Rule of Criminal Procedure 5.1, and for extending the 30-day time period for an
7 indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b). The defendant
8 consents to the extension of time.

9 The undersigned Assistant United States Attorney certifies that she has obtained approval from
10 counsel for the defendant to file this stipulation and proposed order.

11 DATED: January 3, 2022

Respectfully Submitted,

12 STEPHANIE M. HINDS
13 United States Attorney

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15 SAMANTHA BENNETT
16 Assistant United States Attorney

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18 JOYCE LEAVITT
19 Attorney for Larry Candies

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ORDER

The detention and status hearing currently scheduled for defendant Larry Candies for January 5, 2022, is rescheduled for January 11, 2022, at 10:00 A.M.

The Court further finds that the exclusion of time from January 5, 2022, through and including January 11, 2022, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny effective preparation of counsel and would result in a miscarriage of justice. 18 U.S.C. § 3161 (h)(7)(B)(iv).

The Court further finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1, and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

IT IS SO ORDERED.

DATED: January 3, 2022

